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### **Attorneys for Plaintiffs**

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

DON'T SHOOT PORTLAND, et al.

Plaintiffs

v.

CITY OF PORTLAND, a municipal corporation,

Defendant.

Case No. 3:20-cv-00917-HZ

DECLARATION OF ANASTASIA BROWNELL IN SUPPORT OF PLAINTIFF'S MOTION FOR CLASS CERTIFICATION

I, Anastasia Brownell, declare as follows pursuant to 28 USC § 1746:

1. I have personal knowledge of the information contained in this declaration. If called upon to do so, I could and would competently testify regarding the matters set forth herein.
2. I am a legal observer for the ACLU of Oregon.
3. I reside in Portland, Oregon.
4. Between June 2020 and January 2022, I observed protests in Portland, Oregon in person. I always wore an ACLU Legal Observer vest. At times, I also wore a white ski helmet with ACLU Legal Observer stickers on it. I do not participate in the protests. I am a neutral observer of police conduct and ensure that protesters are able to exercise their First Amendment rights safely.
5. I observed protests in person on the following dates:
6. 6/17/20, 6/19/20-6/21/20, 6/24/20, 6/26/20-6/27/20, 6/30/20, 7/3/20-7/4/20, 7/11/20-7/12/20, 7/16/20-7/19/20, 7/24/20-7/26/20, 7/31/20-8/2/20, 8/7/20-8/9/20, 8/13/20-8/16/20, 9/5/20-9/6/20, 9/19/20-9/20/20, 9/23/20-9/24/20, 10/30/20, 11/3/20, 3/19/21, 5/22/21,

6/24/21-6.25/21, 10/2/21, and 11/19/21.

7. During my observations of the protests, I observed that the number of participants varied from groups of approximately 50 people a couple thousand people.
8. I observed members of the Portland Police Bureau (PPB) as they interacted with protesters. Based on my experience, I am confident that I can distinguish between PPB and other law enforcement agencies.
9. Starting in June 2020, I noted that PPB officers would frequently use force against protesters who were peaceful and protesters who were complying with police orders to move out of the area.
10. On June 30, 2020, I observed that the main group who had shown up to protest were gathered in the middle of Lombard, just to the east of the former PPA building. A woman on the bullhorn was saying that the crowd was engaged in passive resistance, telling PPB that they had legal limitations, and telling the police that they were violating the law.
11. I was standing on the north sidewalk next to the crowd and as PPB started to move the protesters, PPB shot something at a dumpster that burst apart sending pieces of shrapnel into the crowd.
12. Even though I was off to the side, I was hit in the neck, face, and arm by the shrapnel. I feared for other folks in the crowd.
13. I observed that a very small group of people lit an office chair on fire on the south sidewalk. There were no buildings, trees, or structures surrounding this small fire. Most of the crowd was not participating in the lighting of the fire. PPB used force to push passive protesters back.
14. Throughout the nights that I spent observing protests in Portland, I repeatedly saw PPB officers fire munitions indiscriminately into large crowds of protesters, hitting people who

were peaceful and people who were complying with PPB commands. I observed PPB shoot munitions that skipped across the top of a dense crowd of protesters at the Justice Center like a stone across a still lake.

15. There were a number of instances of someone seated on the ground saying that they were engaged in passive resistance being physically lifted or otherwise removed from an area by police.
16. During many protests, I observed PPB march behind protesters who were complying with dispersal directions ordered by PPB. Then, without apparent provocation, PPB would pause and yell out a word in unison and charge towards the crowd that was dispersing.
17. I observed PPB hitting and pushing people with batons, their hands, and some shot munitions. I also observed PPB would frequently use physical force against slower protesters or those who were simply at the back of a large group and could not move faster than those in front of them. I frequently heard a PPB officer shout “move!” at protesters who were moving away as directed. On multiple occasions, I observed protesters respond to this command by saying “I’m moving as fast as I can.”
18. On June 30, 2020, an officer physically pushed on my back and kept yelling at me to move even though I was at the back of a large crowd that was moving, and I could not have possibly moved any faster. In one instance, PPB directed protesters to stay off of private property and to exit the area by heading south. Then shortly after this announcement, without warning, officers appeared from the streets to the south and forced protesters to turn around. There was panic and confusion. PPB officers pushed protesters causing them to fall onto residents’ property.

Executed on January 13, 2022.



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Anastasia Brownell